

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION**

MICHAEL J. NASSER, SR.,

Plaintiff,

V.

WHITEPAGES, INC.,

Defendant.

Civil Action No.: 5:12cv097

By: Hon. Michael F. Urbanski
United States District Judge

ORDER

In accordance with the Memorandum Opinion entered this day, it is **ORDERED** that the defendant's Motion to Dismiss (Dkt. No. 9) is **GRANTED in part** and **DENIED in part**; plaintiff's Motion for Default Judgment (Dkt. No. 6), Motion for Entry of Default (Dkt. No. 15), and Motion to Vacate Order on Counsel for Defendant's Pro Hac Vice Motion (Dkt. No. 17) are **DENIED**; and the Report and Recommendation (Dkt. No. 26) is **ADOPTED in part** and **REJECTED in part**.

The case will proceed on the following schedule:

- (1) WhitePages is directed to file an Answer within fourteen (14) days of the date of entry of the accompanying Order;
- (2) The parties are permitted to engage in preliminary discovery limited to the issue of the application of Section 230 immunity until July 31, 2013.
- (3) The parties are directed to file motions for summary judgment and supporting memoranda directed to the issue of Section 230 immunity on or before August 16, 2013.

(4) Following review of the motions and memoranda, the court will decide whether oral argument on the motions is necessary.

The Clerk is directed to send a certified copy of this Memorandum Opinion and accompanying Order to all counsel of record and plaintiff, proceeding pro se.

Entered: May 23, 2013

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge